

TEMPORARY

No. 69097-T

TEMPORARY

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 12 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 29 1978 under 35752

The applicant **Somersett Development Company Ltd.**, hereby makes application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Claims 294, 303/404, and 394** of the **Truckee River Decree**, said Decree entered by the **District Court of the United States for Nevada** in that certain action entitled, **"The United States of America, Plaintiff vs. Orr Water ditch Company, et al., Defendants"**, in **Equity Docket A-3**.

1. The source of water is **the Truckee River**.
2. The amount of water to be changed **Claim 294, 0.56 acre-feet, Claim 303/404, 1.68 acre-feet, Claim 394, 1.60 acre-feet** along with a **pro-rata share** of the diversion rate.
3. The water to be used for **as Decreed**.
4. The water heretofore permitted for **as Decreed**.
5. The water is to be diverted at the following point **within the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 14, T19N, R18E, MDB&M** from which the SW corner of said Section 14 bears South 58°30' West a distance of 1400 feet. Map filed with permit #35752.
6. The existing permitted point of diversion is located within **See Exhibit "C"**
7. Proposed place of use **Portions of the following sections: S $\frac{1}{2}$ of Sec. 1, Sec. 2, Sec. 3, Sec. 10, Sec. 11, Sec. 12 and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 13, T19N, R18E, MDBM and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 35, T20N, R18E, MDBM. See the map associated with change application number 66535.**
8. Existing place of use **Claim 294 – 0.14 acre in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T19N, R19E, MDB&M TR Map 096 Parcel #008-012-05; Claim 303/404 – 0.42 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, T19N, R20E, MDB&M TR Map 087 Parcel #004-340-34; Claim 394 – 0.40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T19N, R20E, MDB&M TR Map 088 Parcel #031-292-50**
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Water will be diverted by existing motor pump, still well system and pipeline to place of use.**
12. Estimated cost of works **Completed**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **1 year**

15. Remarks: For use in irrigation of golf course and landscaping.

By s/Mary C. June
Mary C. June
500 Damonte Ranch Pkwy. Ste. 1056
Reno, NV 89511

Compared cmf/ cac lb/sam

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This temporary permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claims 294, 303, 404 and 394 Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water diverted from this source and the records submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued for the irrigation of 0.96 acres within the described place of use.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **March 20, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.031 cubic feet per second, but not to exceed 3.84 acre-feet as decreed, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 21st day of March, A.D. 2003


State Engineer

EXPIRED
DATE MAR 20 2004 DR

TEMPORARY

Exhibit "C"Orr Ditch & Extension Claims 294 and 303

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, T 19N, R 19E, MDB& M, or at a point from which the Northwest corner of Section 20, T 19N, R 19E, MDB& M bears South $44^{\circ} 40'$ West a distance of 3,211 feet. Per Orr Ditch Decree.

^{Tailrace}
English Mill Ditch Claim 394

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, T 19N, R 20E, MDB& M, or at a point from which the Northwest corner of Section 14, T 19N, R 19E, MDB& M bears South $61^{\circ} 02'$ East a distance of 2,595 feet. Per Orr Ditch Decree.

Sullivan and Kelly Ditch Claim 404

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 11, T19N, R19E, MDB&M, or at a point from which the Northwest corner of Section 14, T19N, R19E, MDB&M, bears S $60^{\circ}00'$ W a distance of 3,201 feet. Per Orr Ditch Decree.

KES
 per
 decree
 8/28/02